

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ANTHONY J. PETERS, #18410	§	PETITIONER
	§	
VERSUS	§	CIVIL ACTION NO. 1:05cv340-DMR-JMR
	§	
JIM HOOD, <i>ET AL.</i>	§	RESPONDENTS

**ORDER ADOPTING REPORT AND RECOMMENDATION [Doc. No. 16]
AND GRANTING MOTION OF RESPONDENTS TO DISMISS [Doc. No. 15]**

BEFORE THE COURT is the Report and Recommendation of the U. S. Magistrate Judge entered on June 12, 2006 [Doc. No. 16], recommending that the Motion of the Respondents to Dismiss pursuant to the one-year limitations period of 28 U.S.C. §2244(d) [Doc. No. 15] be granted and the above-captioned action be dismissed. After careful consideration of the record, the “Motion for Consideration”/Objection filed by the Petitioner [Doc. No. 17], and the applicable case law, this Court is of the opinion that said Report and Recommendation will be adopted as it is neither clearly erroneous nor contrary to law as set forth in Rule 72 of the Federal Rules of Civil Procedure.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation of the U. S. Magistrate Judge entered in this cause on June 12, 2006 [Doc. No. 16], recommending that the Motion of the Respondents to Dismiss pursuant to the one-year limitations period of 28 U.S.C. §2244(d) [Doc. No. 15] be granted, be and is hereby **ADOPTED** as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Motion of the Respondents to Dismiss Pursuant to §2244(d) [Doc. No. 15] shall be and is hereby **GRANTED WITH PREJUDICE**.

IT IS FURTHER ORDERED AND ADJUDGED that a Final Judgment shall be entered in this cause.

SO ORDERED AND ADJUDGED this the 16th day of August, 2006.

/S/ DAN M. RUSSELL, JR.
UNITED STATES DISTRICT JUDGE